

FILE COPY

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE APPLICATION :
FOR A LICENSE TO PRACTICE :
ARCHITECTURE OF :
:

FINAL DECISION
AND ORDER
LS9407181ARC

ORONZO VENTRELLA,
APPLICANT. :
:

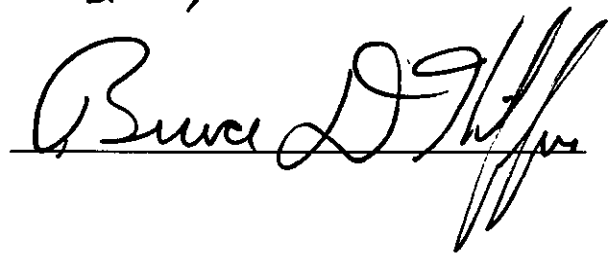
The State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated this 22ND day of February 1995.



**STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS AND LAND SURVEYORS - ARCHITECT SECTION**

**IN THE MATTER OF THE APPLICATION FOR
A LICENSE TO PRACTICE ARCHITECTURE**

**PROPOSED DECISION
LS9407181ARC**

**ORONZO VENTRELLA,
APPLICANT.**

The parties to this proceeding for the purposes of Wisconsin Statutes, sec. 227.53 are:

Oronzo Ventrella
4555 N. McVicker Avenue
Chicago, Illinois 60630

Board of Architects, Professional Engineers,
Designers and Land Surveyors - Architect Section
P.O. Box 8935
Madison, Wisconsin 53708

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708

This proceeding was commenced by the filing of a Notice of Hearing on July 18, 1994. A hearing was held in the above-captioned matter on October 12, 1994. Attorney Roger R. Hall appeared on behalf of the Department of Regulation and Licensing, Division of Enforcement. Oronzo Ventrella appeared in person without legal counsel.

Based upon the record herein, the Administrative Law Judge recommends that the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors - Architect Section adopt as its final decision in this matter the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Applicant, Oronzo Ventrella, 4555 N. McVicker Avenue, Chicago, Illinois 60630, filed an application in October, 1993, with LGR Examinations in State College, Pennsylvania, to take the National Council of Architectural Registration Boards (NCARB) Architect Registration Examination.

2. In December, 1993, Ventrella took the Division C (Building Design) part of the NCARB Architect Registration Examination. He did not obtain a passing score on the examination.

3. On May 2, 1994, Ventrella submitted an examination review request to the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors - Architect Section for consideration relating to his failure of the Division C examination. His request was considered by the Architect Section at its meeting on May 26, 1994. The Section concurred with the reasons for failure given by NCARB relating to the examination.

4. Applicant, Oronzo Ventrella, has not obtained a passing grade on the Division C part of the NCARB Architect Registration Examination.

5. Applicant has not filed an application for registration as an architect with the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors - Architect Section.

CONCLUSIONS OF LAW

1. The Examining Board of Architects, Professional Engineers, Designers and Land Surveyors - Architect Section has jurisdiction in this matter pursuant to ss. 15.405 (2), 443.03 and 443.09 (1), Wis. Stats.

2. The applicant, Oronzo Ventrella, has not successfully completed the examination on architectural services required for registration as an architect under s. 443.09 (4), Stats.

3. Applicant has not submitted an application for registration as an architect with the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors - Architect Section, as required under s. 443.03, Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED that the decision of the Architects, Professional Engineers, Designers and Land Surveyors - Architect Section that the applicant, Oronzo Ventrella, has not successfully completed the examination on architectural services required for registration as an architect, be and hereby is, affirmed.

OPINION

An individual applying for registration as an architect is required under s. 443.03, Stats., to file an application for registration with the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors - Architect Section.

One of the requirements for registration under s. 443.10 (1), Stats., is the successful completion of the examination on architectural services which measures the knowledge and skills necessary to competently practice architecture. In Wisconsin, applicants are required to successfully complete the NCARB Architect Registration Examination. The exam consists of 9 Divisions each of which may be taken separately. The Division C (Building Design) exam is a 12-hour exam.

Ventrella took the Division C exam in December, 1993. He did not obtain a passing score on the exam. He filed a request with the Architect Section in May, 1994, seeking a review of his exam. The Section considered his request at its meeting on May 26, 1994, and voted to concur with the reasons for failure given by NCARB (Exhibits #8, p.4; #9).

The grading criteria used by NCARB in making its determination is based on the following categories: 1) Program requirements; 2) design logic; 3) code compliance; 4) technical aspects, and 5) completeness and clarity of presentation, adherence to test instructions, or missing required drawing (s). To obtain a passing grade, a candidate's solution must be at least minimally acceptable in every major category (Exhibits #3, p. 5; #5). The hypothetical building and site presented in the exam relate to the design of an urban health clinic. (Exhibits #3,4,5). The areas for improvement recommended by NCARB in reference to Ventrella's Division C exam solution are as follows (Ex. #11, p. 3):

(1) Program Requirements:

- Development of all programmed spaces
- Conformance to program area requirements

(2) Design Logic:

- Spatial relationship/proportions/adjacencies

(3) Technical Aspects:

- Structural systems and their integration

Mr. Ventrella's examination solution was reviewed by Brian F. Larson, an architect, who testified at the hearing on behalf of the Department of Regulation and Licensing, Division of Enforcement. Mr. Larson has been involved with the grading of architectural examinations, as a grader and as a grading coordinator, for approximately 12 years. A grading coordinator serves on a committee which establishes grading criteria, trains graders and gives appellate gradings.

Mr. Larson testified that in his opinion, the examination solution which Ventrella provided in response to the program requirements for the Division C examination, is not a minimally competent response to the examination (Tr. p. 2; 148-149; 156-157, 163; Ex. #4). Mr. Larson's opinion is based upon the following observations:

(1) Program Requirements

(A) Development of all Programmed Spaces 1.

1. The program requirement provides that there should be a general storage room of a total of 150 sq. ft. The solution reflects (2) small storage rooms totaling about 100 sq. ft. (Tr. p.93; Exhibits #3, 4,5).
2. The program calls for an upper waiting area consisting of 360 sq. ft. The solution reflects an area of 465 sq. ft. (Tr. p.93).
3. The meeting room on the upper floor is programmed at 1200 sq. ft. The solution reflects an area of about 851 sq. ft., - a serious under design (Tr. p. 94; Ex. #4).
4. There is a very large space of approximately 1400 sq. ft., shown on the upper floor which is not included in the program requirements (Tr. p.94, 126-129;135-138; Ex. #4).
5. The program requires that the upper waiting area contain exterior windows facing west. The solution reflects one small window at the far north end which is about 4 ft. high and 2 ft. wide - which is not a proper response to the requirements (Tr. p.94-95, 118-121; Exhibits #3, p.10; #4).

1. Individual spaces may not vary from the program requirements by plus or minus 20 percent (Exhibit #5, p.3).

(B) Conformance to Program Area Requirements

1. The program provides that the total net building area may vary by plus or minus 10 percent which allows an area range from 8,508 sq. ft. to a maximum of 10,056 sq. ft. The solution reflects a total of 10,790 sq. ft. (Tr. p.98; 126-139; Ex. #4).

(2) Design Logic

(E) Spatial Relationships/Proportions/Adjacencies

1. The program provides that the meeting room ceiling height shall vary according to the roof slope and shall not be less than 8 feet in any area. The solution reflect that the ceiling of the meeting room does not follow the slope of the structure. (Tr. p.98; Ex. #4).
2. The program requires that the doors to the exam rooms shield the examining table from view in the corridor. So in fact, if there is a patient in the room who is in a robe or not completely dressed, and a nurse or a physician were to enter the room, walking in the room would not expose the patient to view from the corridor. The solution reflects that the candidate has arranged the room so that just opening the door a little bit ... the first thing one would see would be the examining table. (Tr. p.99; Exhibits #4,5).

(3) Code Compliance

(H) Means of Egress

1. The program requires that the meeting room have two exits separated by a minimum of one half of the maximum diagonal of the room. The solution reflects that the distance between the doors is 20 feet and the diagonal dimension of the room looks like about 43 feet - six inches. So the distance between the exit doors does not meet minimum life safety requirements for code compliance. (Tr. p.97; 124-125; Exhibits #4; 12, p.6).

(I) Accessibility Requirements

1. The program requires that any ramp shown on the site or within the building shall not exceed 1:12 slope and shall have landings at top and bottom ... Top, bottom and intermediate landings shall have a dimension of not less than 60" (1500) in the direction of ramp run. ... Ramps with a rise greater than 6" (160) shall have handrails on both sides. A note on the solution says "plus or minus five percent slope for sidewalk," in parentheses, optional handicap ramp". If the candidate intended the solution to reflect a ramp, the ramp does not meet program requirements for a ramp, which would require flat landings and would require handrails on both sides. (Tr. p.99).

(4) Technical Aspects

(K) Structural Systems and Their Integration

The program provides that the structure shall be clearly indicated in both plan and section. The solution reflects some serious problems with the structure of the building. On the ground floor there is no column shown in the lobby waiting area ... There is no column shown in the nurse/reception area directly below a column which is shown on the upper floor. If one extend the column line that would go through the lobby/waiting area to the west wall, where one might likely see a column, that would fall on the outside wall at a door. There's no column shown there.

If one follow the column that is in the wall between medical records and nurse/reception area, again to the west, there is no column in the nurse/reception area and there's no column shown on the outside wall. In fact, if one were to be shown there, it would fall in the middle of a window. ... The candidate has not demonstrated here a knowledge of how to ... integrate a structural system into a building.

On the building section of Exhibit 4, this section ... cuts through the building through that upper waiting area. We see three beams running in a north/south direction ... they look about 18 inches deep. ... it looks like that span would be over 50 feet long, from here to there. ... this is not simply a minor omission of not showing a column ... this candidate demonstrates a lack of knowledge of how to integrate a structural system as a part of a building. What is presented here is something that is not buildable (Tr. p.100-102; 139-143; 157; Exhibits #3,4,5).

The evidence presented by Mr. Ventrella does not establish that his examination solution is a minimally competent response to the Division C exam, or that it is minimally acceptable in each of the major grading criteria categories established by NCARB.

Based upon the record herein, the Administrative Law Judge recommends that the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors - Architect Section, adopt as its final decision in this matter, the proposed Findings of Fact, Conclusions of Law and Order as set forth herein.

Dated at Madison, Wisconsin this 6th day of January, 1995.

Respectfully submitted,

Ruby Jefferson-Moore

Ruby Jefferson-Moore
Administrative Law Judge

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

THE STATE OF WISCONSIN EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS.

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

FEBRUARY 23, 1995.

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)